

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

DOHN NIMMO)
)
Plaintiff,)
)
v.) Civil Action No.: 1:11-cv-253 (GBL/IDD)
)
SPRINT NEXTEL CORPORATION, et al.)
)
Defendants.)
)

CORRECTED ROSEBORO NOTICE

Defendants Sprint/United Management Company¹, Stephen Stills, Lou Ann Heare,² Julie Rose and Wyndel Ficklin (collectively “the Defendants”), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure filed their Motion to Dismiss with a Roseboro Notice (Document No. 14) on May 11, 2011. A Notice of Correction regarding Document No. 14 was received on May 12, 2011, instructing the filer to submit a corrected Roseboro Notice.

Accordingly, pursuant to Local Rule 7(K), Plaintiff is notified of the following:

1. Plaintiff is entitled to file a response opposing the Motion and any such response must be filed within twenty-one (21) days of the date on which the Motion was filed. The Motion was filed on May 11, 2011 and forwarded via United States mail, postage prepaid, and certified mail to Plaintiff on that date.

¹ Plaintiff incorrectly identified Sprint Nextel Corporation as a Defendant in this matter. Sprint Nextel Corporation was not Plaintiff’s employer. Defendant proffers that Plaintiff may have intended to identify Sprint/United Management Company, a wholly-owned subsidiary of Sprint Nextel Corporation, as the proper Defendant in this matter. This corrected Notice is filed on behalf of Sprint/United Management Company and Sprint Nextel Corporation.

² Plaintiff improperly spelled the names of Ms. Heare and Mr. Ficklin in his Complaint. The proper spellings are used herein.

2. The Court could dismiss the Complaint on the basis of the Defendants' Motion if Plaintiff does not file a response.

3. Plaintiff must identify all facts stated by the Defendants with which Plaintiff disagrees and must set forth his version of the facts by offering affidavits (written statements signed before a notary public and under oath) or by filing sworn statements (bearing a certificate that is signed under penalty of perjury).

4. Plaintiff is also entitled to file a legal brief in opposition to the one filed by the Defendants.

SPRINT/UNITED MANAGEMENT COMPANY,
STEPHEN STILLS, LOU ANN HEARE, JULIE ROSE
And WYNDEL FICKLIN
By Counsel

/s/
Ronda B. Esaw, Esq. (VA Bar No. 38268)
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of May, 2011, I will electronically file the foregoing corrected Roseboro Notice with the Clerk of Court using the CM/ECF system. I further certify that I will serve the foregoing via First Class Mail and Certified Mail, Return Receipt Requested on:

Dohn Nimmo
43810 Eagle Bend Square
Condo 202
Landsdowne, VA 20176

Plaintiff

/s/

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